UNITED NATIONS **E**

Economic and Social Council

Distr.
GENERAL

E/CN.4/2002/SR.4
25 March 2002

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Fifty-eighth session

SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 20 March 2002, at 10 a.m.

Chairperson: Mr. JAKUBOWSKI (Poland)

CONTENTS

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS AND FOLLOW-UP TO THE WORLD CONFERENCE ON HUMAN RIGHTS

STATEMENT BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

STATEMENT BY THE MINISTER OF JUSTICE AND PUBLIC LIBERTY OF CÔTE D'IVOIRE

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.02-11526 (E) 220302 260302

CONTENTS (continued)

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF SOUTH AFRICA

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF ALBANIA

STATEMENT BY THE VICE-PRIME MINISTER AND MINISTER FOR FOREIGN AFFAIRS OF LUXEMBOURG

STATEMENT BY THE FEDERAL MINISTER FOR FOREIGN AFFAIRS OF AUSTRIA

ORGANIZATION OF THE WORK OF THE SESSION (continued)

The meeting was called to order at 10.05 a.m.

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS AND FOLLOW-UP TO THE WORLD CONFERENCE ON HUMAN RIGHTS (agenda item 4) (E/CN.4/2002/14 and 18 and Add.1 and 2)

1. Mrs. ROBINSON (United Nations High Commissioner for Human Rights) said she would first like to correct a technical error in her opening statement to the Commission in which she had referred to Indonesian Presidential Decree 53 of 23 April 2001 establishing the Ad Hoc Human Rights Court. She had omitted to note that that Decree had been revised by Presidential Decree 96 of 1 August 2001, the effect of which was to allow the Court to investigate incidents which had occurred in April and September of 1999. Presidential Decree 96 also, however, limited the jurisdiction of the Court to three districts in East Timor. She reiterated her concern that the temporal and geographical restrictions imposed by Presidential Decree 96 would have a negative effect on the ability of the Court to investigate a number of serious incidents described by the International Commission of Inquiry on East Timor and the Indonesian Commission of Inquiry into Human Rights Violations in East Timor. She mentioned that she had met the Ambassador of Indonesia the previous day to express her regrets for that error, which had been corrected in the official version of her text.

2. Her report (E/CN.4/2002/18) argued that human rights should act as a unifying framework within which to address the human insecurity that resulted from terrorism and other causes. It had two addenda, the first on the human rights of persons with disabilities (E/CN.4/2002/18/Add.1) and the second on tolerance and pluralism as indivisible elements in the promotion and protection of human rights (E/CN.4/2002/18/Add.2).

3. Terrorism, which threatened the most fundamental human rights, was not a new item on the human rights agenda and the development of common approaches to countering terrorism served the cause of human rights. She utterly rejected arguments that it was not possible to eliminate terrorism effectively while respecting human rights: security could be guaranteed in the long term only by ensuring respect for human rights and humanitarian law. The essence of human rights was that human life and dignity must not be compromised and that certain acts, whether carried out by State or non-State actors, were never justified. Although human rights and humanitarian law were tailored to address some specific situations, such as public emergencies, challenges to national security and periods of violent conflict, the law defined the boundaries of permissible conduct, including military conduct, and struck a fair balance between legitimate national security concerns and fundamental freedoms.

4. Those balances were reflected in the International Covenant on Civil and Political Rights, which recognized a State's right to derogate from or restrict certain rights in defined exceptional circumstances but contained conditions to ensure the transparency, proportionality and necessity of the measures adopted. Some rights, such as the right to life, freedom of thought, conscience and religion, freedom from torture or cruel, inhuman or degrading treatment, and the principles of precision and non-retroactivity of criminal law, must be safeguarded at all times.

5. International humanitarian law also explicitly guaranteed the right to a fair trial, even in emergency situations. In particular, any trial involving imposition of the death penalty during a state of emergency must conform to the provisions of the International Covenant on Civil and Political Rights. Those standards had survived the cold war, armed conflicts and economic instability and the Commission had a responsibility to ensure continued respect for them.

6. She shared the legitimate concern of States to deny support, safe haven and financing to those involved in terrorist acts and to ensure their prosecution. Security Council resolution 1373 (2001) created an important framework for action in that regard that was binding on all States. Her Office had suggested to the Counter-Terrorism Committee established by that resolution that it issue guidance to States to assist them in complying with the resolution and their international human rights obligations. The human rights system had extensive experience in addressing the use and abuse of emergency and security laws and the issue of reconciling States' obligations under human rights law with measures taken to eliminate terrorism.

7. She was therefore particularly concerned that counter-terrorism strategies pursued after 11 September 2001 had at times undermined efforts to enhance respect for human rights and that, in several parts of the world, excessive measures had been adopted which infringed human rights. On 10 December 2001, on the occasion of Human Rights Day, 17 special rapporteurs and independent experts of the Commission on Human Rights had expressed concern about reported human rights violations and measures that had targeted particular groups. Ensuring that innocent people did not become the victims of counter-terrorism measures must always be an important component of any anti-terrorism strategy. In her opening statement, she had invited the Commission to reflect on the possibility of establishing a mechanism to examine from a human rights perspective the counter-terrorism steps taken by States. That mechanism could, for example, focus on advising States on the best practices in balancing the effect of anti-terrorism provisions with human rights guarantees. The Commission might wish to initiate its own dialogue with the Counter-Terrorism Committee in that regard.

8. Turning to the concept of human security, a notion first developed by the United Nations Development Programme (UNDP) in its 1994 Human Development Report, which placed the human person at the centre of the security debate, she pointed out that human insecurity could result from sources other than the threat of terrorism, such as armed conflict, racial discrimination, arbitrary detention, torture, rape, poverty, HIV/AIDS, job insecurity and environmental degradation. Much United Nations work in the areas of peace and security, humanitarian assistance, crime prevention and development, among others, was aimed at strengthening human security. The key to enhancing human security was the pursuit by all Governments of a comprehensive human rights programme. The tenth anniversary of the 1993 Vienna Declaration and Programme of Action would provide an opportunity to recall that that important platform continued to provide the world with all the elements of a comprehensive, universal human rights approach.

9. It was also essential to address the issue of impunity for those who committed gross violations of human rights and grave breaches of humanitarian law, an issue which induced an atmosphere of fear and terror, produced unstable societies and delegitimized Governments. Impunity also encouraged terrorist acts and undermined the international community's efforts to pursue justice under the law. The coming into force of the Rome Statute of the International

Criminal Court would strengthen the capacity of international law to respond to impunity, but the most effective measures were national legal and judicial systems that did not tolerate gross violations of human rights. The increasing acceptance by countries of universal jurisdiction was likewise of practical relevance to ending impunity.

10. In 2001, the Secretary-General had pledged to move the United Nations from a culture of reaction to a culture of prevention and it was not sufficient to respond only to the immediate manifestations of violence; it was imperative to address the underlying conditions which led individuals and groups to have recourse to violence. There was no doubt that the absence of the rule of law and democracy, suppression of expression, disrespect for the rights of ethnic and minority groups and domination, discrimination and denigration were among those underlying conditions.

11. Terrorism often stemmed from hatred and generated more hatred and terrorist acts were based on the assumption of the diminished humanity of the victims. A human rights approach, on the contrary, affirmed the richness of human diversity and respect for every human life and thus offered an antidote to terrorism.

12. Racism and intolerance could be both a cause and a consequence of violence and therefore of insecurity and she welcomed the references made by a number of speakers to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which had provided the international community with a highly relevant comprehensive agenda, that must be implemented with vigour. The Durban Declaration and Programme of Action that had emerged from the Conference affirmed the contribution of all peoples and individuals to human progress and recognized that the promotion of tolerance, pluralism and respect for diversity would produce more inclusive societies. It also highlighted the essential role that civil society, including non-governmental organizations (NGOs) and the media, must play in promoting and enhancing efforts to combat discrimination.

13. The Commission must assert the fundamental importance of respecting human rights as a core component of enhancing security and affirm that the fair balances built into human rights law should be at the centre of counter-terrorism efforts. Addressing the challenges to human insecurity required enhancing international cooperation, taking prevention seriously, reinforcing equality and respect and fulfilling human rights commitments. The time had come for leadership on the basis of values.

14. Ms. JANJUA (Pakistan), speaking on behalf of the Organization of the Islamic Conference (OIC), said she agreed with the High Commissioner that the prevention of gross violations of human rights and of conflicts was a defining issue of the times. It was highly disconcerting that failure to ensure the implementation of recognized human rights standards had cost millions of innocent lives, especially of Islamic peoples, during major armed conflicts in Bosnia and Herzegovina. Kosovo, Palestine, Jammu and Kashmir and Azerbaijan.

15. OIC condemned terrorism in all its forms and manifestations but a comprehensive definition of terrorism must distinguish it clearly from legitimate struggles for self-determination and against foreign occupation or alien domination and also cover acts of terrorism perpetrated by States and occupying Powers.

16. OIC had called for the holding of a United Nations international conference on terrorism to discuss terrorism in all its aspects with a view to defining it and identifying its root causes. As a contribution to that process, Malaysia would host a special session of the Islamic Conference of Foreign Ministers to address the issue in Kuala Lumpur from 1-3 April 2002.

17. OIC agreed with the High Commissioner that the campaign to eradicate terrorism must contain human rights guarantees. As the High Commissioner had indicated, some States had exploited the aftermath of 11 September 2001 to intensify repression of occupied peoples under the pretext of eradicating terrorism. Those States had also taken advantage of the situation to denigrate legitimate struggles for self-determination by equating them with terrorism.

18. There had been a recent upsurge in attacks against Islam and its values and Muslims had been the victims of discrimination and violence, although Islam was a religion of peace, harmony and tolerance in which the taking of innocent lives was forbidden. Associating Islam with terrorism was an assault against the religion and she called upon the High Commissioner and the international community to launch a public campaign to counter that negative perception.

19. Any strategy on eradicating terrorism must address its root causes, such as the conflicts and disputes which lay at the root of the anger, frustration and despair on which it fed and the poverty which promoted conflicts and offered terrorist recruits.. There must also be a dialogue amongst civilizations for cooperation and coexistence rather than a clash with Islam. In a globalized but unequal world, the gap between the rich and the poor had widened and the High Commissioner should redouble her efforts to place the right to development at the centre of the international debate on human rights.

20. She commended the High Commissioner on raising the issue of the implications of 11 September 2001 for the rights of migrants and asylum-seekers and said that OIC was alarmed by attacks against Arab and Muslim migrant communities and by racial and religious profiling in various parts of the world. Those people and their places of worship and cultural centres and property had been the targets of hate campaigns and physical assaults, a grave violation of their human rights. The Office of the High Commissioner should commission a study on the frequency and implications of such attacks with a view to making recommendations for their prevention.

21. The High Commissioner was also to be congratulated on her efforts to make the Durban Conference a success. The process had been a difficult one but the international community had, in the end, endorsed the Durban Declaration and Programme of Action and OIC would cooperate fully in implementing them.

22. The Islamic world shared the High Commissioner's concern with regard to the plight of refugees and displaced persons, in particular Palestinians, Afghans and other Islamic refugees stranded in various countries, mostly developing countries such as Pakistan, Iran, Bangladesh and several Asian and African nations. Inadequate international attention to resolution of the conflicts which had created those refugee situations and inadequate resources for the improvement of their living conditions were among the root causes of their continuing plight. It was essential that the principles of international solidarity and burden-sharing were effectively implemented to find durable solutions and ensure the protection of refugees.

23. Referring to the need to promote a culture of prevention through operational and structural strategies, as envisaged in the High Commissioner's report, she stressed that the international community must support peoples under foreign occupation and domination in their efforts to assert their inalienable rights under the Charter of the United Nations and the relevant resolutions. The occupying Powers must also respect the principles of international human rights and humanitarian law.

24. OIC fully supported the High Commissioner's call for a global human rights culture which valued every human being and cultural and religious diversity. It believed that all segments of society had a role to play in realizing that objective and, given that human rights and human dignity were core values of Islam, it would cooperate with the High Commissioner in promoting those values universally.

25. Mr. FUTRAKUL (Thailand) said that the High Commissioner's report (E/CN.4/2002/18 and Add.1 and 2) was a powerful and timely reminder of the work which lay before the Commission particularly in the aftermath of the terrorist acts of 11 September 2001. His delegation condemned terrorism in all its forms and manifestations but stressed that that condemnation was not directed against any religion, race or country. Terrorism violated the fundamental right to life and was a crime against humanity. His Government was cooperating fully with international counter-terrorism efforts based on Security Council and General Assembly resolutions, had implemented the necessary national measures in that regard and had also submitted its report on the implementation of Security Council resolution 1373 (2001).

26. He recognized the High Commissioner's concern for the application of human rights standards and the special plight of refugees and migrants in the context of the global fight against terrorism and stressed that his country's refugee policies had always been based on a humanitarian tradition. It had hosted hundreds of thousands of displaced persons from neighbouring countries and, although his Government had concerns about the compatibility between the effective implementation of Security Council resolution 1373 (2001) and the refugee regime, it was committed to finding humane and durable solutions for displaced persons and illegal migrants. International organizations must, however, devote greater attention to tackling the root causes of refugee problems and to prevention.

27. Prevention activities often required the active cooperation of all parties, particularly cooperation between States and the United Nations human rights mechanisms. The High Commissioner had made a powerful plea for the promotion of respect for human rights as a unifying framework in the face of the insecurities facing the international community. His Government particularly valued the cooperative efforts which underlay human security initiatives and the fact that that perspective placed human beings at the centre of development.

28. As a developing country, Thailand believed that prevention activities should focus on addressing freedom from want and strategies that, in the long term, would promote human rights through empowerment of the people and poverty reduction. Poverty and marginalization contributed to discord and armed conflict and his Government had therefore paid particular attention to vulnerable groups such as those affected by poverty and HIV/AIDS. There must also be continued review of the negative consequences of globalization.

29. Poverty eradication alone would not however suffice and, to ensure human security and promote human rights, a holistic approach which balanced human security and State sovereignty was necessary to deal with the challenges of terrorism. Particular attention must be paid to racism and intolerance, in particular Islamophobia and to effective follow-up to the Durban Conference. Racism and intolerance led to domestic and international conflict and human rights abuses, including terrorism, and greater dialogue between civilizations and cultures must be promoted to prevent mistrust and conflict which could lead to terrorism. Such efforts would strike at the root causes of terrorism. Should prevention fail, however, law-enforcement and human rights officials must ensure that the rights of all citizens were protected as States engaged in legitimate anti-terrorism activities.

30. He thanked the High Commissioner for highlighting the challenges of terrorism and advocated a balanced and comprehensive support for human rights which included the development aspect. He urged the Office of the High Commissioner for Human Rights (OHCHR) to participate actively in the process leading up to the World Summit on Sustainable Development and said that his delegation would continue to cooperate with efforts to ensure human rights protection for the generations to come.

31. Mr. SHA Zukang (China) said that his Government was very satisfied with the Durban Declaration and Programme of Action. It also supported the establishment of an Anti-Discrimination Unit in OHCHR and the decision to appoint five experts to monitor the implementation of the Declaration and Programme of Action.

32. The international community should take a firm stand against all forms of terrorism, regardless of where or against whom the act was committed. It was important to avoid applying either double standards, whereby the same act might be labelled as "terrorism" or "the defence of human rights", or the standards of any one particular country. The scope of the fight against terrorism must not be extended arbitrarily to specific ethnic groups, religions or countries. At the same time, the international community should seek to address the root causes of terrorism, by endeavouring to advance democracy and overcome development-related problems.

33. With regard to the human rights of persons with disabilities, the analysis of existing provisions in international human rights conventions contained in the addendum to the High Commissioner's report (E/CN.4/2002/18/Add.1) provided a good basis for the drafting of a convention on disabled persons' rights, which should be considered from the perspectives of both social development and human rights.

34. Since the High Commissioner's visit to his country in 1998, his Government had cooperated with OHCHR in organizing seminars on the punishment of minor offences, human rights and the police, and human rights education. In addition, it had signed an agreement with the Office on cooperation in areas such as the development of human rights courses, human rights training for the police, the provision of human rights fellowships and the promotion of economic, social and cultural rights.

35. Mr. TCHUMAREV (Russian Federation) said that, in 1993, his delegation had supported the proposal to establish the Office of the High Commissioner for Human Rights and it remained convinced of the merits of that decision. However, although the objective and dispassionate functioning of the Office were essential, the basic responsibility for the promotion and protection of human rights still lay with the Governments, and international mechanisms could offer only a supporting role. That approach was enshrined in the basic inter-State human rights treaties and was fundamental to international cooperation in the area.

36. The main focus of the work of OHCHR should be the development and strengthening of dialogue and cooperation between States in the framework of the United Nations human rights machinery. Among the best tools for that task were the technical assistance programmes, which should act to smooth out the differences in degrees of protection among countries with different levels of social and economic development. The geographical extension and improved quality of such programmes was therefore greatly to be welcomed.

37. His delegation was gratified to note the similarity between the High Commissioner's approach, as evidenced in her reports (E/CN.4/2002/14 and 18 and Add.1 and 2), and its own in respect of the deep-seated causes of instability and the rise of the terrorist threat. His delegation also shared the view that the promotion and protection of human rights in their entirety constituted the best way of preventing terrorism.

38. It was regrettable that agenda item 4 provided virtually the only opportunity for the Commission to discuss the work of the High Commissioner with any degree of thoroughness. That problem was compounded by the fact that, traditionally, the High Commissioner's report focused on a single topic - the topic of the current session being international terrorism, for perfectly understandable reasons. Consideration should, therefore, be given to whether the agenda item should not have room for a comprehensive report on all aspects of the High Commissioner's work, to provide information on OHCHR activities, the results of the work of each of its departments, including its offices throughout the world, a discussion of its policies and a report on how its financial resources - including voluntary contributions by donor countries - were used, along with other issues of interest to member States. Such an approach would enable the Commission to debate the progress of OHCHR in the various challenges it faced.

39. It had to be said that, despite some positive changes, the work of the Office fell short of what was needed in such areas as the effective implementation of the right to development, the administrative support for the Permanent Forum on Indigenous Issues and the preparation and treatment of documentation, including that relating to individual complaints. The absence of real change in achieving adequate representation of every region in OHCHR staff was a matter for concern. It was also to be hoped that the review of OHCHR activities that was shortly to be carried out by the Office of Internal Oversight Services would help to improve its administrative and financial discipline and enhance its management culture. OHCHR undoubtedly had the capacity to improve its efficiency, if it took action to eliminate the shortcomings he had listed.

40. Mr. MORA GODOY (Cuba), having paid tribute to the High Commissioner for her perseverance and devotion in promoting and protecting human rights, said that there was general agreement on the need to reform and adapt the human rights machinery to make it more effective. His delegation had always favoured the rationalization and simplification of the machinery in the interests of depoliticizing issues and overcoming double standards, not only in the consideration of individual country situations but also the unbalanced treatment in terms of the number of mandates, technical assistance programmes, resources and auxiliary personnel as well as the focus on civil and political rights to the detriment of economic, social and cultural rights and the right to development.

41. Depoliticization and an end to selectivity and double standards would involve abandoning the practice on the part of some delegations of making long speeches focusing on the developing countries only and presenting discriminatory resolutions against the countries of the South. There was room for improvement in the enjoyment of human rights in every country, without exception, and the civil and political rights of millions of people in developed countries were also violated through discrimination and deprival of education, health care, adequate housing and employment. Reform should be based on the principles of the Millennium Declaration and could not start from the same selective confrontational and discriminatory approach as hitherto, which gave the impression that it wished to exclude the countries of the South from the Commission. He wondered whether the true purpose of the so-called reform was to propitiate, or to guarantee the permanent presence of, countries that were self-styled champions of human rights, above all those which had lost their membership of the Commission on account of their bullying ways. That would be unacceptable.

42. There were some agreed principles that had a direct bearing on issues of personnel and financing within OHCHR. It was essential to correct the geographical distribution of staff, which was currently unfavourable to developing countries, and his delegation supported the call repeatedly made by the High Commissioner for un-earmarked voluntary donations, which would allow a more flexible and balanced distribution of resources. It would also eliminate interference in the setting of priorities by OHCHR.

43. It was necessary to implement effectively the results of the Durban Conference. He paid tribute to the High Commissioner for her part in the success of that Conference and said that his delegation would continue to assist her in her work in strengthening international cooperation in human rights.

44. Cooperation was a two-way process between States and the Commission's mechanisms. The current difficulties in that regard should not be seen as a lack of political will on the part of States. It had more to do with the political and discriminatory nature of many of the Commission's resolutions on individual States. Calls had already been made for resolutions on the recent elections in Zimbabwe, for example, yet there had never been any question of any resolutions in connection with the last presidential elections in the United States.

45. Genuine political will was needed to change the Commission's approach to human rights, which should be based solely and exclusively on dialogue and cooperation and not on political considerations. If that will did not exist, the Commission would be completely discredited.

46. Ms. ACOSTA (Mexico) said that the promotion and protection of human rights required a climate of cooperation rather than confrontation. Her Government welcomed the progress made by OHCHR towards the design of effective technical cooperation mechanisms, despite its limited financial resources. Countries were turning to OHCHR in increasing numbers for help with technical cooperation programmes that sought to improve human rights situations while fully respecting their sovereignty and specificities.

47. Her delegation had taken note of the High Commissioner's report (E/CN.4/2002/18) and was pleased to see that vulnerable groups were given special attention. It agreed that, in the current international situation, extra efforts must be made to protect refugees and migrants, and echoed the hope expressed by the High Commissioner that the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families would soon enter into force.

48. Her Government gave high priority to the human rights of persons with disabilities and looked forward with interest to the publication of the study described in the addendum to the High Commissioner's report (E/CN.4/2002/18/Add.1). Being convinced of the importance of education in the creation of tolerant societies, it also welcomed the many human rights education activities carried out by OHCHR during the past year. Lastly, her delegation hoped that, in accordance with paragraph 196 of the Durban Programme of Action, the new OHCHR Anti-Discrimination Unit would pay special attention to violations of the human rights of migrants, including migrant workers, and to the promotion of international cooperation in combating xenophobia.

49. Mr. PÉREZ-VILLANUEVA y TOVAR (Spain), speaking on behalf of the European Union, said that the High Commissioner's report raised some important questions regarding the consequences of the tragic events of 11 September 2001. Acts of terrorism did not constitute human rights violations: they were crimes that could not be justified even by consideration of their root causes. They were a threat to international peace and security and needed to be combated vigorously, while fully respecting human rights and fundamental freedoms, and with due regard for the principles of necessity and proportionality. Security Council resolution 1373 (2001), with its binding character, was a milestone in that struggle.

50. That resolution reinforced the provision of the Convention relating to the Status of Refugees which excluded persons who had committed serious non-political crimes - commonly interpreted as including terrorist acts - from protection by the Convention. At the same time, no

action by States should in any way weaken the principle of non-refoulement. The Convention and its 1967 Protocol continued to be of the utmost importance in ensuring protection for refugees.

51. The Union was aware of the difficulties experienced in the discharge of mandates under the international human rights instruments and special procedures and encouraged OHCHR to redouble its efforts to improve its servicing of those mandates. The Union wished to see all the necessary financial and human resources assigned to OHCHR and its core functions financed from the regular budget of the United Nations. The strengthening of core support functions and the mainstreaming of human rights should remain at the forefront of the High Commissioner's strategy.

52. Lastly, the Union believed that, in order to combat impunity for human rights violations, universal ratification and implementation of the international human rights instruments were vital, as was the entry into force of the Rome Statute of the International Criminal Court.

STATEMENT BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

53. Mr. LUBBERS (United Nations High Commissioner for Refugees) said that his work related to the protection of the human rights of a specific group of people, particularly one of the most fundamental of rights, the right to flee and to be welcomed somewhere. The 1951 Convention relating to the Status of Refugees was at the heart of the work of his Office and he recalled that, in December 2001, as part of the process of global consultations on international protection, a meeting of States parties to the Convention and its Protocol had been held in Geneva. The participants in that meeting had adopted a landmark Declaration of States Parties which broke new ground in a number of areas, recognizing the 1951 Convention as a human rights instrument and acknowledging its enduring importance as the primary refugee protection instrument.

54. The Global Consultations process on the international framework for refugee protection, which had brought together representatives of States, intergovernmental and non-governmental organizations, academics and refugees, would come to an end later in 2002 and would generate an agenda for protection for the years to come, thus contributing greatly to effective protection of refugees, asylum-seekers, returnees, stateless people and others of concern to his Office.

55. Despite the progress made in developing international law and setting standards, new challenges continued to arise, such as the recent allegations of sexual exploitation of young refugees, a problem documented by human rights organizations such as Human Rights Watch not only in West Africa but in other countries as well. It was particularly alarming that humanitarian workers, including staff of the Office of the United Nations High Commissioner for Refugees (UNHCR) might have been involved, and while the scale of such involvement was not yet clear, even one case would be one too many. There must be zero tolerance for those who would prey on the most innocent and vulnerable of the world's refugees, the children.

56. He had commissioned the study on sexual violence and exploitation in West Africa in cooperation with the Save the Children UK and would make every effort to address the issue. The United Nations Office of Internal Oversight Services (OIOS) was also investigating the

charges. A plan of action was being implemented to enhance the protection of those who were vulnerable to sexual exploitation and UNHCR was working to ensure that the survivors of sexual exploitation were provided with appropriate care, including counselling and health services. A strict code of conduct for staff was being drafted to ensure that all humanitarian workers adhered to the highest standards of conduct.

57. There were many different types of sexual exploitation and UNHCR had a particular responsibility where such exploitation amounted to persecution and created new refugees, for example in connection with the trafficking of women for sex, as part of the new and lucrative phenomenon of global criminal smuggling and trafficking of people. Although all trafficked women were not refugees, some clearly were and that fact should be recognized in the asylum procedures of receiving States. In mid-2001, he had instructed his staff to review specific areas which UNHCR programmes needed to address in order to protect the rights of women more effectively and he had made five concrete commitments to refugee women in that context. One of them was to develop integrated country-level strategies to prevent and respond to sexual and gender-based violence. He continued to follow closely the progress being made in implementing those commitments.

58. The tragic events of 11 September had added a new dimension to the work of his Office. Persons who had committed serious non-political crimes were specifically excluded from the protection afforded by the Convention relating to the Status of Refugees, and his Office would fully support Governments in their efforts, under Security Council resolution 1373 (2001), to prevent terrorists from abusing the asylum system. However, Governments must avoid making unwarranted linkages between refugees and terrorism.

59. Refugees and asylum-seekers had, for some years, been the object of considerable mistrust and hostility in many countries and there was a risk that they would be used as convenient scapegoats. They must not be discriminated against on the grounds that they were somehow linked to terrorism because of their religion or origin, and their detention must remain the exception, not the rule. There was a greater need than ever to nurture a culture of respect, tolerance and compassion towards refugees. In that respect, the recent Durban Conference had provided a number of signposts that should guide the international community in its endeavours to fight all forms of xenophobia and intolerance.

60. The four freedoms identified as the essential ones by President Franklin D. Roosevelt in 1941 could all be applied to the work of UNHCR. Freedom from fear was the one most obviously related to work with refugees, while the lack of freedom of speech or freedom of worship were grounds for granting refugee status. Freedom from want was particularly relevant to refugees, millions of whom lived in the most degrading conditions of abject poverty and were almost entirely dependent on humanitarian aid. Moreover, such aid was not adequately funded: the abominably low levels of assistance provided by the richest countries to the most marginalized and vulnerable people could not be allowed to continue.

61. As the International Conference on Financing for Development got under way in Monterrey, the international community should ask itself whether it was not violating the human rights of refugees and other vulnerable people by not providing them with enough assistance to allow them to live with even a minimum of dignity.

62. Freedom from want was also a security issue since, in a globalized world, injustice, poverty, conflict, ignorance and disease all contributed to instability. Every effort must be made to improve the conditions that led to despair and bred hatred and violence in the first place. It was shameful that humanitarian programmes aimed at assisting some of the world's most vulnerable people - refugees - remained grossly underfunded year after year. He endorsed the appeal by the President of the World Bank for a doubling of global development assistance, which would cost a mere 0.2 per cent of the income of the rich countries.

63. The shameful fact was that many refugees were victimized not just once but twice: once when they were forced to flee and again when they were portrayed as "bogus" refugees and kept in refugee camps with unacceptably low levels of assistance. That, in his view, was an outright violation of their human rights.

STATEMENT BY THE MINISTER OF JUSTICE AND PUBLIC LIBERTY OF CÔTE D'IVOIRE

64. Mr. OULAI (Côte d'Ivoire) said that the events of 11 September 2001 had shocked the people of his country and, on their behalf, he offered his condolences to the people of the United States. His Government supported all efforts to curb terrorism.

65. The process of national reconciliation promised by the democratically elected President of Côte d'Ivoire, Laurent Gbagbo, was under way. After two months of intense political debate, the National Reconciliation Forum had ended on a positive note that boded well for a country torn apart after the coup d'état of December 1999. In those two months, Ivorians of all social classes, including the victims and perpetrators of the coup, had shown their ability to reach compromise through dialogue.

66. The ousted President and the former Prime Minister had returned to the country to attend the Forum, where they had been greeted in a spirit of genuine reconciliation by members of the Government. They had met President Gbagbo and the general who had been Head of State during the military transition and, among other things, they had agreed to set up a Committee of Jurists to prepare for a conference on the Constitution of the Second Republic in July 2002, taken note of the Government's commitment to restore discipline to the security forces, reaffirmed their commitment to an independent, impartial and credible system of justice, taken note of the establishment by the Government of a commission to oversee the settlemen. of land disputes and decided to continue promoting tolerance and national unity.

67. The President had reiterated his intention to involve representative political parties in running State affairs and to set up a Government of national unity. In addition, some of the political leaders who had contested the results of the elections had come to recognize the legitimacy of the institutions of the Second Republic.

68. The courts were making efforts to deal with all judicial proceedings linked to the socio-political situation and known victims of the coup d'état had been compensated by the State, after having had their medical expenses paid. Impunity was still a major concern of the Government and was being tackled by a judicial inquiries unit set up for the purpose.

69. Côte d'Ivoire would continue to extend its hospitality to the large number of foreigners who lived there, most of whom came from war-torn parts of West Africa. The President of the Republic was committed to helping settle the conflicts in the region, which were scarcely conducive to peace and development there. Meanwhile, the Government's efforts to establish democracy, respect for human rights and good governance had led to the renewal of contacts with the country's major international and regional financial institutions and development partners.

70. His Government had adopted a number of measures to combat the well-publicized problem of trafficking in children in Côte d'Ivoire, including deterrent punishments, repatriation of the children, the conclusion of bilateral agreements with countries in the subregion and the ratification of the International Labour Organization (ILO) Convention concerning Minimum Age for Admission to Employment (No. 138) and Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182).

71. His country had a free press, with all shades of opinion catered for by over 20 daily newspapers, and there was not a single journalist in prison there. The national press had itself taken the initiative to set up an oversight body to monitor compliance with its code of conduct.

72. The National Reconciliation Forum had dispelled the threat of conflict between Muslims and Christians. Freedom of worship was respected and the Government made a significant financial contribution to help individuals to make pilgrimages.

73. The fall in commodity prices, worsening terms of trade and higher unemployment had led to social conflicts and deeper poverty. International conferences took decisions on providing agreed levels of official development assistance (ODA), debt relief and financing for development, but what was really needed was action outside the legal and institutional framework to combat poverty, promote democracy and strengthen the rule of law and thus facilitate the implementation of human rights conventions.

74. Since the establishment of the Second Republic in October 2000, his Government had placed particular emphasis on the promotion and protection of human rights. A bill establishing an independent national human rights commission was due to be discussed by Parliament at its next session, and a committee had been set up in February 2002 to monitor the implementation of international human rights instruments. OHCHR and UNDP were helping the Government prepare a national plan to promote and protect human rights. A joint mission of the two organizations had visited the country in August 2001 and had recommended that the United Nations should respond favourably to his Government's request for technical cooperation.

75. In November 2002, Côte d'Ivoire would, for the first time in its history, be hosting the meeting of the African Commission on Human and Peoples' Rights, in a clear sign of its determination to promote and protect such rights.

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF SOUTH AFRICA

76. Ms. DLAMINI-ZUMA (South Africa), having paid special tribute to the United Nations High Commissioner for Human Rights for her sterling leadership in the lead-up to the Durban Conference and her role in its eventual success, recalled that, almost four decades earlier, the Sharpville massacre had come to symbolize the flagrant and gross abrogation of human rights in South Africa, leading to the declaration that the system of apartheid was a crime against humanity. A quarter of a century later, South Africa's first democratically elected President, Nelson Mandela, had announced that his land would never again "experience the oppression of one by another and suffer the indignity of being the skunk of the world".

77. The latest steps in her country's progress towards the establishment of a human rights culture were the declaration of March 2002 as "human rights month" and President Mbeki's letsema programme, in which volunteers were called upon to take action to improve the lives of others. During the human rights month, the skills and resources of every community would be mobilized to make the justice system user-friendly and accessible to the people they served. The letsema programme dealt with, among other things, gender equality; she said that Governments must move from actions to words with respect to gender-mainstreaming in their policies and should remove from their statute books any anachronistic laws that hindered the advancement of women.

78. In the short time since South Africa had become a democracy, it had made great progress in the promotion and protection of human rights. Human rights were enshrined in the Constitution and South Africa was a party to all but one of the international human rights instruments. A National Human Rights Action Plan had been adopted, a National Human Rights Commission established and human rights education introduced.

79. The Commission on Human Rights must ask itself honestly whether it was making any progress in addressing problems in crucial areas such as human liberty, human dignity and human development. The answer must be a qualified yes. For example, at the historic World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban in 2001, the issues to be dealt with were complex and difficult, but agreement had been reached on the Declaration and Programme of Action to push back the frontiers of racism, poverty and underdevelopment. Regrettably, however, the international community had not moved forward decisively to implement the commitments entered into at Durban. The Commission must work assiduously to ensure that the Programme of Action was implemented. In particular, the requisite financial resources must be made available to allow the necessary follow-up mechanisms to be put in place.

80. The perpetrators of the unspeakable and barbaric acts of terror committed on 11 September 2001 must be pursued and brought to justice. However, in pursuing them, every effort must be made to uphold the sacrosanct principles of international human rights law. Another important challenge facing the international community in the fight against terrorism

was the need to deal with other conflicts, particularly the one in the Middle East. Any use of excessive force and collective punishment would only exacerbate the situation. The children of Palestine must be given the hope of a better tomorrow, with no more humiliation to drive them to extremes. Security Council resolution 1397 (2002) was a step in the right direction.

81. In addition, as poverty was the breeding ground for much conflict, the time had come to end the sterile debates on the right to development and make that right operational. She hoped that the international community would deal with that important issue at the concurrent International Conference on Financing for Development, being held in Monterrey, as well as at the forthcoming World Summit on Sustainable Development, to be held in Johannesburg.

82. Some far reaching decisions had been made in Africa in pursuit of the full realization and enjoyment of human rights. One such had been to transform the Organization of African Unity (OAU) into the African Union, which would hold its inaugural session in South Africa in July 2002. The Union would deal comprehensively with the political and economic integration of the continent, pride of place being given to respect for human rights.

83. Another milestone for the continent was the New Partnership for Africa's Development (NEPAD), adopted at the OAU Summit in 2001, which had human rights as its linchpin, in addition to conflict resolution and good economic and political governance. Through NEPAD, Africans had taken their continent's destiny into their own hands. Development and the restoration of the dignity of the African people would be achieved only if human rights were respected and steps taken towards poverty eradication and conflict resolution. NEPAD would succeed because it responded creatively and realistically to Africa's unique development challenges. The international community must, however, act in partnership with Africa to help the continent pull itself out of underdevelopment and backwardness. Quoting a poem by Ben Okri, which advocated a "humanity cleaning" on the analogy of "spring cleaning", she urged the Commission to act as the conscience of humanity.

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF ALBANIA

84. Ms. DADE (Albania) said that her Government considered the protection of human rights and freedoms to be a keystone of democracy. It was therefore committed to guaranteeing the human rights sanctioned by the Constitution and by the international conventions on human rights, to which Albania had acceded. In the interests of achieving its highest objective, European integration, it was all the more determined to bring its human rights record closer to European standards.

85. As noted by various international monitoring organizations, such as the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE), the Parliamentary elections held in 2001 had marked considerable progress towards the consolidation of democracy in Albania. The Government was aware of some irregularities that had occurred and had clearly expressed its willingness to implement the recommendations made by the Office. It had also asked for cooperation from the opposition in the framework of a joint Parliamentary Commission established to that end.

86. Particular priority was given to guaranteeing the rights of individuals during criminal proceedings. The Constitution provided that no one could be subject to torture or brutal treatment. Measures had therefore been taken to train the police force in human rights standards so as to avoid a repetition of some isolated cases of violence against detained persons.

87. The rights of national minorities were another key element. Albanian society was traditionally characterized by peaceful coexistence and tolerance. Minorities enjoyed all the rights sanctioned by the Constitution and by the Framework Convention for the Protection of National Minorities of the Council of Europe and were fully integrated into Albanian society. The Government was aware that there were still some problems, however, particularly with regard to Roma rights, which would be included within a national strategy to be drafted by governmental institutions in cooperation with civil society.

88. The Government had approved the National Strategy on Combating Illegal Trafficking of Human Beings, which was bearing fruit. There had been a 60 per cent reduction in the clandestine flow of people from Albania or through its territory. Significant steps had been taken, in cooperation with NGOs and international organizations like the International Organization for Migration (IOM) to provide trafficked victims with aid and to reintegrate them. There was still, however, a problem with repatriating clandestines to their country of origin owing to a lack of readmission agreements with neighbouring countries, since only 25 per cent of them had Albania as their country of origin.

89. An enormous flow of information was provided by the independent media. Despite problems relating to the level of professionalism among Albanian journalists, their work was respected and encouraged by the Government. There was also a wide range of activity by NGOs, which had been treated as partners by the Government when it was drafting national strategies for the protection of specific rights.

90. The Government was committed to fulfilling its obligation to present periodic reports to the United Nations human rights treaty bodies. The first report to the Committee on the Elimination of All Forms of Discrimination against Women would be submitted shortly. Visits by special rapporteurs and OHCHR experts were welcome; they were assured of the Government's cooperation. Moreover, the role of institutions dealing with human rights, such as the Office of the People's Advocate (Ombudsman), was to be strengthened.

91. It was a cause for satisfaction that South-Eastern Europe had entered on an irreversible path to democracy, of which respect for human rights was an important element. The elections in Kosovo had marked an important step in relation to the implementation of Security Council resolution 1244 (1999). The new Government represented the will of the entire people of Kosovo, including its ethnic minorities. The next step was to turn the whole region into a society where peace, tolerance and cooperation prevailed among all its communities, including those of the Serb and non-Serb minorities.

92. With regard to developments in the former Yugoslav Republic of Macedonia, her Government had spoken out clearly against acts of violence and extremism in that country. Political dialogue was required for the solution of problems relating to the rights and freedoms of the ethnic Albanians. The signing of the Ohrid Agreement, and the legislative measures taken by the Macedonian authorities, were therefore welcome.

93. As for the Federal Republic of Yugoslavia, her Government had welcomed the decision by the Serbian authorities to surrender former President Milõsević to the International Criminal Tribunal for the Former Yugoslavia.

94. Her Government would shortly conclude its presidency of the South-East European Cooperation Process. At the Tirana Summit, to be held on 28 March 2002, the heads of the member countries would have another opportunity to confirm their commitment to fostering peace, stability, democracy and human rights in the region. Those commitments would, she was sure, be duly implemented and would make the region more democratic and prosperous.

STATEMENT BY THE VICE-PRIME MINISTER AND MINISTER FOR FOREIGN AFFAIRS OF LUXEMBOURG

95. Ms. POLFER (Luxembourg), having endorsed the statement made by the Minister for Foreign Affairs of Spain on behalf of the European Union, said that, although the work of States and civil society in the Commission sometimes gave the impression of an unchanging ritual, it showed that the international community remained committed to multilateral diplomacy as a mark of civilization. That commitment was of particular importance in times of instability.

96. The terrorist attacks of 11 September 2001 had been attacks upon an open, liberal society. The sole objective of terror was annihilation: there were no mitigating circumstances. It was not a clash of cultures but yet another surrender to the lure of totalitarianism, which had claimed so many victims during the twentieth century.

97. The revival of women's prospects in Afghanistan since the overthrow of the Taliban regime was an indicator of peace and development whose importance could never be overestimated. Meanwhile, the international community's scrutiny of the treatment of terrorist combatants who had been taken prisoner, whether in Afghanistan or elsewhere, was an acknowledgement that the rule of law was based first and foremost on respect for human rights.

98. Luxembourg was shortly to assume the Chairmanship of the Committee of Ministers of the Council of Europe. One of its priorities was the international fight against terrorism while respecting human rights, and she welcomed the High Commissioner's suggestion that a human rights perspective should be incorporated into the implementation of Security Council resolution 1373 (2001).

99. The terrible impasse to which the Israeli and Palestinian peoples had come clearly demonstrated that there was no alternative to a political solution and coexisting Palestinian and Israeli States with recognized, secure borders. Security Council resolution 1397 (2002) was a call for change and opened up fresh prospects for the whole region.

100. Europe had taken that route more than 50 years previously. Her own country had flourished during a process of integration where each step could have been experienced as an attack on its national sovereignty, but was in fact a move towards recognition of its rights. The European project was not immune to nationalist or technocratic pressures, and indeed was currently being called into question by the anti-globalization movement. Its increasing diversity brought with it a political responsibility to ensure respect for the law and thus to encourage participatory diplomacy.

101. Apart from its composition, the Commission was one of those institutions whose standard-setting work opened up the possibility of dialogue on subjects normally surrounded by silence and misunderstandings. In that regard, she paid tribute to the work of the Chairperson-Rapporteur of the working group on the draft optional protocol to the Convention against Torture, and that of the Chairperson of the open-ended working group on the right to development.

102. The Commission also owed a debt of gratitude to the High Commissioner for having promoted a holistic approach to human rights that had compelled the international community to recognize its global, shared responsibility. The difficult but salutary experience of the Durban Conference had certainly highlighted the lack of a global vision of human rights on both sides of the divide - both real and imaginary - between North and South, but it had also been the first time that the need for a regional and multilateral dimension in the human rights debate - a globalization of human rights - had been recognized.

103. With the debate on good governance moving beyond national contexts, international organizations and their staffs had a special responsibility for human rights and must display an unfailing professional ethic. She paid tribute to the intellectual honesty shown by the High Commissioner for Refugees in encouraging transparency with regard to the allegations currently being made against UNHCR staff. There must be no question of attempting to protect any institution - NGOs included - by covering up situations of that kind.

104. The Commission could not stand outside such institutional crises. All were aware of the danger of its becoming an occasion for ritual posturing on human rights rather than a shared response to an urgent need. It was important that States should exploit the Commission's full potential for ensuring respect for human rights.

STATEMENT BY THE FEDERAL MINISTER FOR FOREIGN AFFAIRS OF AUSTRIA

105. Ms. FERRERO-WALDNER (Austria) said that, six months after the apocalyptic attacks by terrorists in the United States on 11 September 2001 and the subsequent global campaign to capture and punish those responsible, the key questions for the Commission were how it could contribute to the success of the campaign and to creating a world genuinely guided by a universal culture of human rights, in which such atrocities could never happen again. The task was by no means easy. It could be achieved only by strengthening human solidarity and giving a fresh impetus to international cooperation. Candid dialogue on every aspect of what was understood by a free and fair society was required.

106. The Commission must continue to address the root causes of terrorism and provide recommendations for their resolution. It should be remembered that the fight against terrorism went beyond mere security; it also concerned fundamental values. The Commission must establish unequivocal guidelines regarding what was unacceptable: examples would include threatening world peace by the flagrant abuse of basic human rights, supporting terror and violence against civilians or acquiring or working for the proliferation of weapons of mass destruction for such ends. At the same time, it should do its best to rid the world of the breeding grounds of dissatisfaction, extremism and terror throughout the world, such as the numerous regional conflicts and the abject levels of poverty and inequality. Those who found themselves in situations of utter hopelessness were easily drawn into a vicious circle of crime, extremism and terrorism.

107. Afghanistan was a case in point. After 20 years of spiralling warfare, it had come as no surprise that the extremism of the Taliban could flourish there. The world had failed to recognize the problem or to react properly. Fortunately, events in Afghanistan seemed to be taking a better turn. The success of the coalition against terror had made it possible for the country to enter a phase of reconciliation and reconstruction. In that context, she encouraged the High Commissioner to play a decisive role in designing effective step-by-step programmes for Afghanistan to establish the rule of law. Human rights must be at the forefront of the formidable task of building peace in Afghanistan.

108. The rights of women were of crucial importance in that regard. Women, with their indispensable role in providing human security and human development in all societies, had a special role to play in dialogue and conflict resolution. At the same time, they belonged to the weakest elements in society and often had to bear the brunt of violence and oppression, especially in crisis areas. The previous Afghan regime had provided ample evidence of the fact that a system oppressing the rights of women was doomed. It was gratifying that women were participating in the reconstruction process in responsible posts as members of the Afghan Government. Support for Afghan women was, together with demining and drug control, the most important aspect of the country's future.

109. Continued attention should be paid to Central Asia and the Caucasus region, particularly with regard to actual or potential conflicts and security threats, trafficking in people, weapons and drugs, and human rights violations.

110. In the Middle East, the death toll of innocent civilians, Palestinians and Israelis alike, had reached intolerable levels. Both sides must finally muster the strength and courage to turn the situation around. They must immediately desist from any form of terrorism, violence and military strikes and make a serious effort to establish a lasting ceasefire under the Tenet provisions, followed by peace negotiations on the basis of the recommendations of the Mitchell Report.

111. Her Government supported the renewed engagement of the United States Administration and also saw an enhanced role for the European Union and the Russian Federation, as well as the United Nations. The ideas put forward by Crown Prince Abdullah of Saudi Arabia gave a ray of hope. In that context, her Government welcomed the adoption of Security Council resolution 1397 (2002), which spelled out the vision of two States.

112. Old and new conflicts loomed in many regions of the world. One important way of dealing with them was moving from a culture of conflict to one of dialogue and education. The Dialogue of Civilizations, originally initiated by the President of the Islamic Republic of Iran, was particularly important, in that it was based on an appreciation of the fact that the world contained a diversity of cultures. The Dialogue should lead from a culture of confronting otherness to one of accepting it as a source of strength. President Khatami's visit to Austria the previous week had been an example of just such a dialogue, which should not, however, be restricted to religious, governmental or academic leaders but should also involve the general public. Her Government therefore had high hopes for the expert seminar on the Dialogue to be held in Vienna in June 2002.

113. Human security had become a high priority for her Government. From July 2002, it would chair the Human Security Network, a flexible framework of like-minded countries from all geographical regions committed to improving cooperation on action to promote human security. A meeting of the foreign ministers of the members of the Network would be held in Graz in 2003, focusing on such critical issues as women's rights, the fate of children in armed conflict and human rights education. Such education was crucial in order to create the conditions required for the routine application of human rights in all walks of life.

114. The Commission should concentrate more than ever on measures of conflict prevention, many of which fell squarely in the human rights domain. Her delegation would once again submit draft resolutions on the protection of minority groups and the strengthening or policies aimed at promoting tolerance and respect; protection and assistance for the 20 to 25 million internally displaced persons in more than 40 countries; and strengthening of the rule of law. More than ever, it was necessary for the Commission to look beyond the confines of the Geneva conference rooms and exploit to the full its system of special procedures and OHCHR.

ORGANIZATION OF THE WORK OF THE SESSION (agenda item 3) (continued) (E/CN.4/2002/15 and 16; E/CN.4/2002/NGO/89, 160 and 169)

115. Ms. GERVAIS-VIDRICAIRE (Canada), speaking on behalf of the Western European and Others Group, said that the Group agreed with other delegations in appreciating the contribution of NGOs to the work of the Commission and the defence of human rights. It would not support any efforts to suppress references by NGOs to particular Governments: freedom of expression was a key principle governing the work of the Commission. The Group was grateful to the Secretariat for providing additional information on accredited NGO representatives on a daily basis. It would be impractical to provide such information for every meeting.

116. The note by the secretariat (E/CN.4/2002/16) should not be used as an excuse to re-examine well-established rules of procedure in respect of NGO participation. The Commission should avoid unnecessary and divisive discussions on the issue and the Western European and Others Group welcomed the increased cooperation between the Commission and the Economic and Social Council Committee on Non-Governmental Organizations.

The meeting rose at 1.05 p.m.